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APPLICATION NO.		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/728,601	_	12/04/2003	Nancy I. Srebro	510063.401	9773		
500	7590	07/11/2006		EXAM	INER		
		TUAL PROPERTY	IZAGUIRRE, ISMAEL				
701 FIFTH SUITE 630				ART UNIT	PAPER NUMBER		
SEATTLE,	WA 98	8104-7092		3765			
				DATE MAILED: 07/11/200	DATE MAILED: 07/11/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

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			Application	n No.	Applicant(s)			
		10/728,601	1	SREBRO, NANCY	Y I.			
Office Action Summary			Examiner		Art Unit			
			Ismael Izag		3765			
Period fo	The MAILING DATE of this commun or Reply	ication app	ears on the	cover sheet with the c	orrespondence ad	Idress		
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(\$) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).								
Status								
1)[Responsive to communication(s) file	ed on <i>31 Ja</i>	nuary 2006	•				
• —			action is no					
3) 🗌	Since this application is in condition	for allowan	ice except f	or formal matters, pro	secution as to the	e merits is		
•—	closed in accordance with the practi	ce under <i>E</i> .	x parte Qua	ayle, 1935 C.D. 11, 45	3 O.G. 213.			
Dispositi	on of Claims				•			
4)🖂	Claim(s) 1-24 is/are pending in the a	application.						
·	4a) Of the above claim(s) is/are withdrawn from consideration.							
5)🖂	☐ Claim(s) 1,2,8-16 and 23 is/are allowed.							
6)⊠	Claim(s) <u>3,4,17-22 and 24</u> is/are rejected.							
-	Claim(s) 5-7 is/are objected to.							
8)	Claim(s) are subject to restrict	ction and/or	r election re	quirement.				
Applicati	on Papers							
9)[7]	The specification is objected to by th	e Examine	r.					
•	The drawing(s) filed on is/are:		_	objected to by the E	Examiner.			
,	Applicant may not request that any obje	-	-					
						FR 1.121(d).		
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority u	ınder 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:								
۵٫۱	1. Certified copies of the priority	documents	s have beer	received.				
	2. Certified copies of the priority				on No			
	3. Copies of the certified copies					Stage		
	·							
* 5	application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.							
Coo, and allaction actained a mod action to the control copied metroperior.								
Attachmen	(f/c)							
Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)								
2) Notic	e of Draftsperson's Patent Drawing Review (F	Paper No(s)/Mail Da	ate					
	mation Disclosure Statement(s) (PTO-1449 or er No(s)/Mail Date <u>1/31/05</u> .	PTO/SB/08)		5) Notice of Informal P 6) Other:	atent Application (PT	O-152)		

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DETAILED ACTION

The examiner is appreciative of the submission of applicant's newly found prior art "Scrap Frenzy". This has been considered and another newly found prior art "Ohio Star Variation" from "Quiltaholics" is applicable as follows and submitted for applicant's consideration:

CLAIMS

Summary

Claims 1,3,8,11,16-20 and 22-24 are the independent claims under consideration in this Office action.

Claims 2,4-7,9,10,12-15 and 21 are the dependent claims under consideration in this Office action.

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17-21 and 24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Scrap Frenzy.

Scrap Frenzy teaches a block assembly depicting the shape of an eight point star. Scrap Frenzy teaches combining a plurality of only rectangles and squares formed of smaller pieces of color contrasting rectangles and squares sewn together for forming

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blocks or quarter blocks which together form an eight point star shape. See page 26, steps 3 and 4, for example.

Claims 3,5 and 17-22 and 24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ohio Star Variation (Quiltaholics).

Ohio Star Variation teaches a block or block assemblies depicting quarter or half or the full shape of an eight point star. Ohio Star Variation teaches combining a plurality of squares placed on each other and sewn, cut and flipped over to form quarter blocks or segments of the eight point star (see steps 1-3). Those squares are combined with other squares for forming rectangles and those rectangles are sewn or combined with other color contrasting rectangles and squares in forming eight point star shape. See steps 5-7.

ALLOWABLE SUBJECT MATTER

Claims 1,2,8-16 and 23 are allowable over the prior art of record.

Claims 5-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

PERTINENT CITATIONS

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gray illustrates a method for forming art including a template for preparing pieces for the mosaic-like artwork. 5-Star Block (McCall's Quilting) illustrates an Ohio Star including square quadrants formed of rectangles and squares. See steps 7 and 8.

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INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaquirre whose telephone number is (571) 272-4987. The examiner can normally be reached on M-F (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Welch can be reached on (571) 272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

> Ismael Izaguirre **Primary Examiner**

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